

**Amendments to the Drawings:**

The attached drawing sheet adds Fig. 2. No new matter has been added.

Attachment: Drawing Sheet with Fig. 2

**REMARKS**

Claims 1 and 3-20 are pending. By this Amendment, claims 1, 3 and 4 are amended, new claims 19 and 20 are added, and claim 2 is canceled without prejudice to, or disclaimer of the subject matter contained therein. Further, the specification is amended and Fig. 2 is added. No new matter has been added. Reconsideration is respectfully requested in view of the above amendments and the following remarks.

**I. Objection to Drawings**

The Office Action objects to the drawings because the drawings do not show every feature of the claims. Fig. 2 has been added to obviate the objection. Fig. 2 is supported, for example, by the paragraph starting at page 7, line 22. No new matter has been added. Furthermore, the paragraph starting at page 7, line 22 has been amended to conform with added Fig. 2. In addition, the Brief Description of the Drawings has been amended to conform with added Fig. 2. Accordingly, withdrawal of the objection to the drawings is respectfully requested.

**II. Objection to Title**

The Office Action objects to the title. The title is amended to obviate the objection. Accordingly, withdrawal of the objection to the title is respectfully requested.

**III. The Claims Define Patentable Subject Matter**

The Office Action rejects claims 1, 5-7 and 10 under 35 U.S.C. §102(b) over Inoue (U.S. Patent No. 5,906,906); rejects claims 2-4, 8 and 9 under 35 U.S.C. §103(a) over Inoue in view of Shigesaki (JP 2002-311775); rejects claims 11, 12 and 14-17 under 35 U.S.C. §103(a) over Inoue in view of Yanagida (JP 10-073996); rejects claim 13 under 35 U.S.C. §103(a) over Inoue in view of Yoshino (U.S. Patent Application Publication No. 2002/0076635); and rejects claim 18 under 35 U.S.C. §103(a) over Inoue in view of Yamazaki (JP 2001-042556). The rejections are respectfully traversed.

In particular, none of the applied references disclose or suggest a toner band forming step of forming a toner band on the surface of the latent image holding member to attain a recycled toner ratio, as recited in independent claim 1.

The Office Action acknowledges at page 5 that Inoue does not disclose or suggest the above-noted features of claim 1. However, the Office Action alleges that Shigesaki discloses the above-noted features. Applicants respectfully disagree.

Shigesaki merely discloses in the Abstract that a toner band can be set so that toner amount is controlled according to image information in the image-forming device. Shigesaki, however, does not disclose or suggest that the toner band is formed to obtain a recycled toner ratio. Inoue, on the other hand, does not provide motivation to form a toner band to control a recycled toner ratio. Thus, one skilled in the art would not be motivated to combine Inoue with Shigesaki to derive at the claimed invention.

Furthermore, Yanagida, Yoshino and Yamazaki do not compensate for the above-noted deficiencies of Inoue and Shigesaki. Therefore, independent claim 1 defines patentable subject matter. Claims 3-20 depend from the respective independent claim 1, and therefore also define patentable subject matter as well as for the other features they recite. Therefore, withdrawal of the rejection under 35 U.S.C. §102(b) and 35 U.S.C. §103(a) is respectfully requested.

#### **IV. Conclusion**

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1 and 3-20 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,

  
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JAO:YSC/rle

Attachment:  
New Sheet

Date: September 28, 2005

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